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REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the following remarks. Applicants further respectfully request entry of the present amendments which place formerly considered dependent claims into an independent form.

Amendments to Claims

Applicants have amended Claim 1 to place the limitations of the previously dependent Claims 13-14 within the independent claim to further define the apparatus of the present invention and clarify the claims for possible appeal. Claims 6-7 and 13-14 were accordingly canceled. The present independent Claim 1 now specifically makes clear that status change information (regarding the switchgear cabinet) can be regulated at one or both of the cabinet monitoring and control devices (CMC1 ... CMCn) and the management device (2.1); each of which has an evaluation stage by which status changes automatically issued are selected in accordance with a decision criteria preset in one of a fixed and a variable manner. This Amendment is fully supported in the Specification at least at the last paragraph of Page 5 through the first paragraph of Page 6, and the originally filed Claims. This Amendment adds no new matter to this Patent Application.

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Claims Rejection - 35 U.S.C. §103

Per paragraph 8 of the Detailed Action, Claims 1-6 and 10-13 have been rejected under 35 U.S.C. §103(a), as being obvious over Thomas et al., U.S. Patent Application, Publication No. 2003/0061335 (hereinafter "Thomas") in view of Hunter et al., U.S. Patent 6,363,422 (hereinafter "Hunter"). This rejection is respectfully traversed, and reconsideration of the rejection is requested particularly in view of the above Amendment and the following remarks.

Neither of Thomas nor Hunter are believed to teach or suggest the specifically claimed dual stage evaluation capability of the presently amended Claim 1 (i.e., the previously dependent Claim 14), nor the invention as set forth in the Claims when considered as a whole, as further discussed below.

Per paragraph 9 of the Detailed Action, Claims 7-9 and 14-16 have been rejected under 35 U.S.C. §103(a) as obvious over Thomas in view of Hunter and further in view of Murphy et al., U.S. Patent No. 5,768,148 (hereinafter Murphy).

It is the contention of the Detailed Action that while Thomas and Hunter do not teach "the at least one of the switch gear cabinet monitoring and control devices and the management device has an evaluation stage," such a teaching is supplied by Murphy. This rejection is respectfully traversed, and reconsideration of the rejection is requested particularly in view of the above Amendment and the following remarks.

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It is first noted that the correct limitation of the present Claims recites: "the at least one of the switch gear cabinet monitoring and control devices and the management device each has an evaluation stage..."

It is the contention of the Detailed Action that Murphy teaches a management device having an evaluation stage for automatic reporting of status changes, through the use of DDE servers supplies a teaching of the subject limitation. However, it is apparent upon a close reading of Murphy that the DDE server of Murphy is not analogous to the management devices of the present invention. Instead, the DDE server of Murphy is merely a communications protocol by which the status of a operating device can be polled and reported as dead or active (see Col. 11, line 55). Thus, in the teachings of Murphy a status change is not evaluated according to decision criteria, as required by the present claims. Instead, a status is merely reported by a DDE communication server. Further, no teaching within Murphy is shown whereby each of a switch gear cabinet monitoring and control device and the management device are equipped with an evaluation stage with decision criteria.

Thus, Applicants believe that the above Amendment overcomes the rejection of each Claim under 35 U.S.C. §103(a) and places all Claims in condition for allowance.

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Conclusion

Applicants believe that the above Amendment and remarks address each and every issue raised by the Examiner and overcome each and every objection and rejection. However, should the Examiner detect any remaining issue, Applicants kindly request the Examiner to contact the undersigned, preferably by telephone, in an effort to expedite examination of this Patent Application.

Respectfully submitted,



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